

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Francisco Romero et al. Art Unit : 1654  
Serial No. : 10/562,079 Examiner : Jeffrey E. Russel  
Filed : December 22, 2005 Conf. No. : 9471  
Title : NEW CYTOTOXIC DEPSIPEPTIDES

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

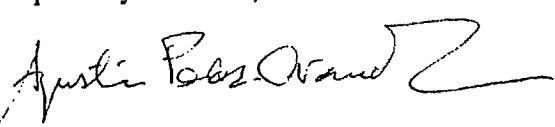
DECLARATION OF AGUSTÍN PÉREZ-ARANDA ORTEGA

I hereby state that a culture of the microorganism strain ES7-800 has been deposited in the Colección Española de Cultivos Tipo at the University of Valencia, in Spain, under the accession number CECT 3358. The deposit has been made under the provisions of the Budapest Treaty and that all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon the granting of a patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: July on the 3<sup>rd</sup>, 2008

  
Agustín Pérez-Aranda Ortega  
Instituto Biomar, SA  
Polígono Industrial de León. Edificio CEEI.  
24231 Onzonilla. León.  
SPAIN